

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

CARBON CREST LLC,

Plaintiff,

v.

TENCUE PRODUCTIONS, LLC, et al.,

Defendants.

No. C-19-08179-WHA

**ORDER DENYING MOTION TO
FILE UNDER SEAL**

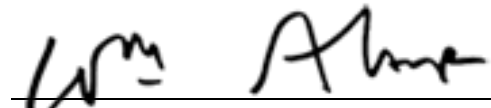
Plaintiff Carbon Crest seeks to seal the letter of intent from Tencue's acquirer and portions of its opposition to Tencue's summary judgment motion which reference it. The portions that Carbon Crest seeks to seal detail the timing and sale price of Tencue's acquisition, which in turn serve as the basis for the amount allegedly owed to Carbon Crest under the terms of the contract at issue.

Carbon Crest "takes no position on whether the designated information satisfy the requirements for sealing" but states that Tencue designated as "Confidential – Subject to Protective Order" during discovery (Dkt. 69 at 2). Designation as confidential does not entitle either party to sealing. Carbon Crest's motion to seal makes no attempt to show any compelling reason to seal in light of the strong policy in favor of public access to documents filed in litigation. *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1177 (9th Cir. 2006). Here, the figure illuminates the amount of compensation at issue and should remain unsealed.

Carbon Crest's motion to file under seal is **DENIED**.

IT IS SO ORDERED.

Dated: February 10, 2021



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE